EIGHTY-FOURTH GENERAL ASSEMBLY 2012 REGULAR SESSION **DAILY**

SENATE CLIP SHEET

MARCH 14, 2012

SENATE FILE 2236

S-5085

Amend Senate File 2236 as follows:

- Page 1, by striking line 8 and inserting DIV A 2 3 <government oversight. The reports are required only
 - 4 if gifts are received and shall be filed no later
- DIV A 5 than>
- 2. By striking page 4, line 35, through page 5, DIV B 6
- DIV B 7 line 4.
- DIV A 8 3. Page 6, after line 6 by inserting:
 - <Sec. ___. EFFECTIVE UPON ENACTMENT. This Act,
 - 10 being deemed of immediate importance, takes effect upon
 - 11 enactment.>
 - 4. Title page, line 3, after <applicable> by
- DIV A 13 inserting <and including effective date provisions>

By JEFF DANIELSON

S-5085 FILED MARCH 13, 2012 DIVISION A - ADOPTED; DIVISION B - WITHDRAWN

SENATE FILE 2236

S-5087

- Amend Senate File 2236 as follows:
 - 1. Page 4, by striking line 33 and inserting
- 3 <material" includes television, video, or motion</pre>
- 4 picture>
- 2. By striking page 4, line 35, through page 5,
- 6 line 4.
- 7 3. Page 5, line 10, by striking <radio advertising
- By renumbering as necessary.

By JEFF DANIELSON

S-5087 FILED MARCH 13, 2012 ADOPTED

HOUSE AMENDMENT TO SENATE FILE 2249

S-5080

- 1 Amend Senate File 2249, as amended, passed, and 2 reprinted by the Senate, as follows:
 - 1. Page 1, after line 32 by inserting:
- <Sec. ____. Section 322.5, subsection 2, paragraph 5 a, subparagraph (2), Code 2011, is amended to read as 6 follows:
- (2) Display, offer for sale, and negotiate sales 8 of new motor vehicles at fair events, as defined in 9 chapter 174, vehicle shows, and vehicle exhibitions, 10 upon application for and receipt of a temporary permit 11 issued by the department. Such activities may only be
- 12 conducted at fair events, vehicle shows, and vehicle 13 exhibitions that are held in the county of the motor
- 14 vehicle dealer's principal place of business community,
- 15 as defined in section 322A.1, for the vehicles that
- 16 are displayed and offered for sale. A sale of a
- 17 motor vehicle by a motor vehicle dealer shall not be
- 18 completed and an agreement for the sale of a motor
- 19 vehicle shall not be signed at a fair event, vehicle
- 20 show, or vehicle exhibition. All such sales shall be
- 21 consummated at the motor vehicle dealer's principal
- 22 place of business.>
- Title page, lines 1 and 2, by striking 23 2.
- 24 <motorcycle dealer activities at> and inserting <motor
- 25 vehicle dealer activities at fair events, vehicle
- 26 shows, vehicle exhibitions, and>
- 27 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5080 FILED MARCH 13, 2012

HOUSE AMENDMENT TO SENATE FILE 2260

S-5083

- 1 Amend Senate File 2260, as passed by the Senate, as 2 follows:
 - Page 5, by striking lines 3 through 13. 1.
- 2. Page 6, by striking lines 9 through 25.
- 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5083 FILED MARCH 13, 2012

SENATE FILE 2275

S-5086

- 1 Amend Senate File 2275 as follows:
- 2 1. Page 6, after line 26 by inserting:
- 3 <Sec. ___. Section 99F.11, subsection 3, paragraph
- 4 e, Code Supplement 2011, is amended to read as follows:
- e. (1) The Except as otherwise provided in this
- 6 paragraph "e", the remaining amount of the adjusted
- 7 gross receipts tax shall be credited to the general 8 fund of the state.
- 9 (2) Notwithstanding any provision of this paragraph
- 10 "e" or section 8.57 to the contrary, the remaining
- 11 amount of the adjusted gross receipts tax on internet
- 12 wagering shall be deposited into the road use tax fund
- 13 created pursuant to section 312.1.>
- 2. By renumbering as necessary.

By JONI ERNST

<u>S-5086</u> FILED MARCH 13, 2012 LOST

- 1 Amend Senate File 2294 as follows:
- 2 1. By striking everything after the enacting clause 3 and inserting:
- 4 <Section 1. Section 543B.7, subsection 5, Code 5 2011, is amended to read as follows:
- 5. The acts of an auctioneer who is not a licensee 7 in conducting a public sale or auction, as provided in 8 this subsection.
- 9 <u>a.</u> The auctioneer's role must be limited to 10 establishing the time, place, and method of an auction; 11 advertising the auction including which shall be 12 limited to a brief description of the property for 13 auction and the time and place for the auction; and 14 crying the property at the auction.
- 15 <u>(1)</u> The auctioneer shall provide in any advertising 16 the name and address of the real estate broker who is 17 providing brokerage services for the transaction and 18 the name of the real estate broker, or 19 <u>closing company</u> who is responsible for closing the sale 20 of the property.
- 21 (2) The real estate broker providing brokerage 22 services shall be present at the time of the auction 23 and, if found to be in violation of this subsection, 24 shall be subject to a civil penalty of two one thousand 25 five hundred dollars.
- 26 (3) If the auctioneer closes or attempts to close 27 the sale of the property or otherwise engages in acts 28 defined in sections 543B.3 and 543B.6, or paragraph 29 "b" of this subsection, then the requirements of this 30 chapter do apply to the auctioneer.
- 31 <u>b. An auctioneer who is not a licensee is expressly</u> 32 prohibited from engaging in the following acts:
- 33 (1) Contacting the public regarding real property
 34 beyond that which is permitted under this section with
 35 the purpose of securing or facilitating the sale of
 36 such real property.
- 37 (2) Independently showing property or hosting open 38 houses.
- 39 (3) Making material and substantive representations 40 regarding title, financing, or closings.
- 41 (4) Discussing or explaining a contract, lease,
 42 agreement, or other real estate document, other than
 43 the contract for conducting the auction or other acts
 44 permitted by this subsection, with a prospective buyer,
 45 owner, or tenant of the real property, with the purpose
 46 of securing or facilitating the sale of such real
 47 property.
- 48 (5) Collecting or holding deposit moneys, rent, 49 other moneys, or anything of value received from the 50 owner of real property or from a prospective buyer S-5082 -1-

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Page 2
1 or tell
2 considerations
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1 or tenant, other than fees, commissions, or other

2 consideration paid in exchange for conducting the

3 auction or other acts permitted by this subsection,

with the purpose of securing or facilitating the sale of such real property.

- 6 (6) Providing owners of real property or 7 prospective buyers or tenants with advice,
- 8 recommendations, or suggestions regarding the sale,

9 purchase, exchange, rental, or leasing of real

- 10 property, except with regard to acts permitted under 11 this subsection.
- 12 (7) Falsely representing in any manner, orally or 13 in writing, that the auctioneer is a licensee.
- 14 <u>c.</u> If an investigation pursuant to this chapter 15 reveals that an auctioneer has violated this subsection 16 or has assumed to act in the capacity of a real
- 17 estate broker or real estate salesperson, the real
- 18 estate commission may shall issue a cease and desist
- 19 order, and shall issue a warning letter notifying the
- 20 auctioneer of the violation impose a penalty of one
- 21 thousand dollars for the first offense, and impose a
- 22 penalty of up to the greater of ten thousand dollars
- 23 or ten percent of the real estate sales price for each
- 24 subsequent violation.>
- 25 2. Title page, by striking lines 1 through 3 and 26 inserting <An Act relating to the authorized activities
- 27 of auctioneers in conducting a public sale or auction
- 28 of real estate, and providing penalty provisions.>
 By THOMAS RIELLY

S-5082 FILED MARCH 13, 2012 ADOPTED

HOUSE FILE 2335

S-5081

- 1 Amend the amendment, S-5056, to House File 2335,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 16, after line 48 by inserting:
- 5 <Sec. ___. DEPARTMENT OF PUBLIC SAFETY BUILDING
- 6 DESIGNATION. The state office building located at
- 7 215 east seventh street, which houses the department
- 8 of public safety, shall be named after Oran Pape, the
- 9 first member of the state patrol killed in the line of
- 10 duty and the only member of the state patrol to have
- 11 been murdered. An appropriate commemorative plaque
- 12 shall be placed near the entrance of the state building
- 13 in recognition of Oran Pape and his sacrifice as a
- 14 member of the state patrol.>

By TOM HANCOCK

S-5081 FILED MARCH 13, 2012

HOUSE FILE 2337

	3001				
1	Amend House File 2337, as amended, passed, and				
3	reprinted by the House, as follows: 1. By striking everything after the enacting clause				
4	and inserting:				
5	<pre><section 1.="" 130,="" 2011="" acts,="" chapter="" iowa="" pre="" section<=""></section></pre>				
6	48, is amended to read as follows:				
7	SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There				
8	is appropriated from the general fund of the state to				
	the department of cultural affairs for the fiscal year				
	beginning July 1, 2012, and ending June 30, 2013, the				
	following amounts, or so much thereof as is necessary,				
12	to be used for the purposes designated:				
13	1. ADMINISTRATION				
14	For salaries, support, maintenance, miscellaneous				
15	purposes, and for not more than the following full-time				
16	equivalent positions for the department:				
17	\$ 85,907				
18	<u>171,813</u>				
19	FTEs 74.50				
20	The department of cultural affairs shall coordinate				
	activities with the tourism office of the department of				
	economic development <u>authority</u> to promote attendance				
	at the state historical building and at this state's				
	historic sites.				
25	Full-time equivalent positions authorized under				
	this subsection shall be funded, in full or in part,				
27					
28 29	subsections 3 through 7. 2. COMMUNITY CULTURAL GRANTS				
30	For planning and programming for the community				
	cultural grants program established under section				
	303.3:				
33	86,045				
34	172,090				
35					
36	For the support of the historical division:				
37	\$ 1,383,851				
38	2,767,701				
39	4. HISTORIC SITES				
40	For the administration and support of historic				
41	sites:				
42	\$ 213,199				
43	426,398				
44	5. ARTS DIVISION				
45	For the support of the arts division:				
46	\$ 466,882				
47	933,764				
48	6. IOWA GREAT PLACES				
49	For the Iowa great places program established under				
	section 303.3C:				
S-:	<u>s-5084</u>				

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Page 2			
1 \$	75,000 150,000		
3 7. ARCHIVE IOWA GOVERNORS' RECORDS			
4 For archiving the records of Iowa governors:			
5\$	32,967 65,933		
7 8. RECORDS CENTER RENT	03/233		
8 For payment of rent for the state records center:			
9\$	113,622		
10	227,243		
11 9. BATTLE FLAGS	22,7213		
12 For continuation of the project recommended by the			
13 Iowa battle flag advisory committee to stabilize the			
14 condition of the battle flag collection:			
15\$	30,000		
16	60,000		
17 10. FILM OFFICE	00,000		
18 For salaries, support, maintenance, miscellaneous	_		
19 purposes, and for not more than the following full-time	2		
20 equivalent positions:	000 000		
21\$	200,000		
22 FTEs	2.00		
23 <u>11. CULTURAL TRUST FUND</u>			
24 For deposit in the Iowa cultural trust fund created			
25 in section 303A.4:	000 000		
26\$	200,000		
The board of trustees of the Iowa cultural trust			
28 shall annually prepare a report for submission to the			
29 governor, the general assembly, and the legislative			
30 services agency regarding the activities, projects,			
31 and programs funded with moneys allocated under this			
32 subsection. This report shall be submitted each year			
33 by January 15.			
34 Sec. 2. 2011 Iowa Acts, chapter 130, section 49, is	3		
35 amended to read as follows:			
36 SEC. 49. GOALS AND ACCOUNTABILITY — ECONOMIC			
37 DEVELOPMENT.			
38 1. For the fiscal year beginning July 1, 2012,			
39 the goals for the department of economic development			
40 <u>authority</u> shall be to expand and stimulate the state			
41 economy, increase the wealth of Iowans, and increase			
42 the population of the state.			
2. To achieve the goals in subsection 1, the			
44 department of economic development authority shall do			
45 all of the following for the fiscal year beginning July	7		
46 1, 2012:			
47 a. Concentrate its efforts on programs and			
48 activities that result in commercially viable products			
49 and services.			
50 b. Adopt practices and services consistent with			

50 b. Adopt practices and services consistent with 5-5084

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1 free market, private sector philosophies.

- Ensure economic growth and development 3 throughout the state.
- d. Work with businesses and communities to 5 continually improve the economic development climate 6 along with the economic well-being and quality of life 7 for Iowans.
- e. Coordinate with other state agencies to 9 ensure that they are attentive to the needs of an 10 entrepreneurial culture.
- 11 f. Establish a strong and aggressive marketing 12 image to showcase Iowa's workforce, existing industry, 13 and potential. A priority shall be placed on 14 recruiting new businesses, business expansion, and 15 retaining existing Iowa businesses. Emphasis shall be 16 placed on entrepreneurial development through helping 17 entrepreneurs secure capital, and developing networks 18 and a business climate conducive to entrepreneurs and 19 small businesses.
- g. Encourage the development of communities and 21 quality of life to foster economic growth.
- 22 h. Prepare communities for future growth and 23 development through development, expansion, and 24 modernization of infrastructure.
- i. Develop public-private partnerships with 25 26 Iowa businesses in the tourism industry, Iowa tour 27 groups, Iowa tourism organizations, and political 28 subdivisions in this state to assist in the development 29 of advertising efforts.
- j. Develop, to the fullest extent possible, 31 cooperative efforts for advertising with contributions 32 from other sources.
- Sec. 3. 2011 Iowa Acts, chapter 130, section 50, 34 subsections 1, 2, 4, 5, and 6, are amended to read as 35 follows:
 - 1. APPROPRIATION

36

37 There is appropriated from the general fund of 38 the state to the department of economic development 39 authority for the fiscal year beginning July 1, 2012, 40 and ending June 30, 2013, the following amounts, or 41 so much thereof as is necessary, to be used for the 42 purposes designated in subsection 2, and for not more 43 than the following full-time equivalent positions:

44 \$ 4,891,712 45 9,783,424 149.00 47

- 2. DESIGNATED PURPOSES
- a. For salaries, support, miscellaneous purposes, 49 programs, and the maintenance of an administration 50 division, a business development division, and a S-5084 -3-

22

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- 1 community development division.
- b. The full-time equivalent positions authorized under this section shall be funded, in whole or in 4 part, by the moneys appropriated under subsection 1 or 5 by other moneys received by the department authority, 6 including certain federal moneys.
- 7 c. For business development operations and 8 programs, the film office, international trade, export 9 assistance, workforce recruitment, and the partner 10 state program.
- 11 d. For transfer to the strategic investment fund 12 created in section 15.313.
- e. For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.
- 19 f. For achieving the goals and accountability, and 20 fulfilling the requirements and duties required under 21 this Act.
 - 4. FINANCIAL ASSISTANCE RESTRICTIONS
- a. A business creating jobs through moneys
 appropriated in this section shall be subject to
 contract provisions requiring new and retained jobs to
 be filled by individuals who are citizens of the United
 States who reside within the United States or any
 person authorized to work in the United States pursuant
 to federal law, including legal resident aliens in the
 United States.
- b. Any vendor who receives moneys appropriated in this section shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.
- 39 c. A business that receives financial assistance 40 from the department authority from moneys appropriated 41 in this section shall only employ individuals legally 42 authorized to work in this state. In addition to all 43 other applicable penalties provided by current law, all 44 or a portion of the assistance received by a business 45 which is found to knowingly employ individuals not 46 legally authorized to work in this state is subject to 47 recapture by the department authority.
- 48 5. USES OF APPROPRIATIONS
- 49 a. From the moneys appropriated in this section, 50 the $\frac{\text{department}}{\text{department}}$ authority may provide financial $\frac{\text{s-5084}}{\text{-4-}}$

24

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1 assistance in the form of a grant to a community 2 economic development entity for conducting a local 3 workforce recruitment effort designed to recruit former 4 citizens of the state and former students at colleges 5 and universities in the state to meet the needs of 6 local employers.

- From the moneys appropriated in this section, 8 the department authority may provide financial 9 assistance to early stage industry companies being 10 established by women entrepreneurs.
- c. From the moneys appropriated in this section, 11 12 the department authority may provide financial 13 assistance in the form of grants, loans, or forgivable 14 loans for advanced research and commercialization 15 projects involving value-added agriculture, advanced 16 technology, or biotechnology.
- The department authority shall not use any 17 18 moneys appropriated in this section for purposes of 19 providing financial assistance for the Iowa green 20 streets pilot project or for any other program or 21 project that involves the installation of geothermal 22 systems for melting snow and ice from streets or 23 sidewalks.
 - 6. WORLD FOOD PRIZE

25 For allocating moneys for the world food prize and 26 notwithstanding in lieu of the standing appropriation 27 in section 15.368, subsection 1:

28 \$ 250,000 29 750,000

89,067

178,133

7.00

Sec. 4. 2011 Iowa Acts, chapter 130, section 50, 30 31 subsection 7, unnumbered paragraphs 1 and 2, are 32 amended to read as follows:

For allocation to the Iowa commission on volunteer 34 service for the Iowa's promise and mentoring 35 partnership programs, for transfer to the Iowa state 36 commission grant program, and for not more than the 37 following full-time equivalent positions:

38 \$ 39

40 FTEs

41 Of the moneys appropriated in this subsection, the 42 department authority shall allocate \$37,500 \$75,000 for 43 purposes of the Iowa state commission grant program and 44 \$51,567 \$103,133 for purposes of the Iowa's promise and 45 mentoring partnership programs.

Sec. 5. 2011 Iowa Acts, chapter 130, section 51, is 47 amended to read as follows:

SEC. 51. VISION IOWA PROGRAM - FTE

49 AUTHORIZATION. For purposes of administrative duties 50 associated with the vision Iowa program for the fiscal

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 1 year beginning July 1, 2012, the department of economic
2 development <u>authori</u>ty is authorized an additional 2.25
3 FTEs above those otherwise authorized in this division
4 of this Act.
      Sec. 6. 2011 Iowa Acts, chapter 130, section 52, is
6 amended to read as follows:
      SEC. 52. INSURANCE ECONOMIC DEVELOPMENT.
8 the moneys collected by the division of insurance
9 in excess of the anticipated gross revenues under
10 section 505.7, subsection 3, during the fiscal year
11 beginning July 1, 2012, $100,000 shall be transferred
12 to the <del>department of</del> economic development authority
13 for insurance economic development and international
14 insurance economic development.
      Sec. 7. 2011 Iowa Acts, chapter 130, section 53, is
16 amended to read as follows:
     SEC. 53. COMMUNITY DEVELOPMENT LOAN
17
18 FUND. Notwithstanding section 15E.120, subsection
19 5, there is appropriated from the Iowa community
20 development loan fund all moneys available during the
21 fiscal year beginning July 1, 2012, and ending June
22 30, 2013, to the department of economic development
23 authority for purposes of the community development
24 program.
     Sec. 8. 2011 Iowa Acts, chapter 130, is amended by
26 adding the following new section:
27
                INCENTIVE FUND. There is appropriated
     SEC. 53A.
28 from the general fund of the state to the economic
29 development authority for the fiscal year beginning
30 July 1, 2012, and ending June 30, 2013, the following
31 amount to be used for the purposes of incentives and
32 assistance to create high quality jobs and pursuant to
33 chapter 15:
34 ..... $ 20,000,000
35
     Notwithstanding section 8.33, moneys appropriated in
36 this section that remain unencumbered or unobligated
37 at the close of the fiscal year shall not revert but
38 shall remain available for expenditure for the purposes
39 designated until the close of the succeeding fiscal
40 year.
41
     Sec. 9. 2011 Iowa Acts, chapter 130, is amended by
42 adding the following new section:
43
     SEC. 53B. MAIN STREET. There is appropriated
```

44 from the general fund of the state to the economic 45 development authority for the fiscal year beginning 46 July 1, 2012, and ending June 30, 2013, the following 47 amount to be used for the purposes of the United 48 States department of housing and urban development's 49 main street challenge grants for historic building 50 preservation:

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1 ..... $
                                                      100,000
     Notwithstanding section 8.33, moneys appropriated in
3 this section that remain unencumbered or unobligated
4 at the close of the fiscal year shall not revert but
5 shall remain available for expenditure for the purposes
6 designated until the close of the succeeding fiscal
7 year.
8
     Sec. 10. 2011 Iowa Acts, chapter 130, section 54,
9 is amended to read as follows:
10 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is
11 appropriated from the workforce development fund
12 account created in section 15.342A to the workforce
13 development fund created in section 15.343 for the
14 fiscal year beginning July 1, 2012, and ending June
15 30, 2013, the following amount, for purposes of the
16 workforce development fund:
17 ..... $ \frac{2,000,000}{}
18
19
     Sec. 11. 2011 Iowa Acts, chapter 130, section 55,
20 is amended to read as follows:
     SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION.
22 From moneys appropriated or transferred to or receipts
23 credited to the workforce development fund created in
24 section 15.343, up to $400,000 for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, are
26 appropriated to the department of economic development
27 authority for the administration of workforce
28 development activities including salaries, support,
29 maintenance, and miscellaneous purposes, and for not
30 more than the following full-time equivalent positions:
31 ..... FTEs
                                                         4.00
32 Sec. 12. 2011 Iowa Acts, chapter 130, section 57,
33 is amended to read as follows:
34
     SEC. 57. IOWA STATE UNIVERSITY.
     1. There is appropriated from the general fund
35
36 of the state to Iowa state university of science
37 and technology for the fiscal year beginning July
38 1, 2012, and ending June 30, 2013, the following
39 amount, or so much thereof as is necessary, to be used
40 for small business development centers, the science
41 and technology research park, and the institute for
42 physical research and technology, and for not more than
43 the following full-time equivalent positions:
44 \dots \dots  $ \frac{1,212,151}{1}
45
                                                    2,424,302
46 ..... FTEs
                                                     56.63
47
     2. Of the moneys appropriated in subsection 1,
48 Iowa state university of science and technology shall
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48 Iowa state university of science and technology shall
49 allocate at least \$468,178 \$936,345 for purposes of
50 funding small business development centers. Iowa state
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1 university of science and technology may allocate 2 moneys appropriated in subsection 1 to the various 3 small business development centers in any manner 4 necessary to achieve the purposes of this subsection.

- 5 3. Iowa state university of science and technology 6 shall do all of the following:
- 7 a. Direct expenditures for research toward projects 8 that will provide economic stimulus for Iowa.
- 9 b. Provide emphasis to providing services to 10 Iowa-based companies.
- 11 4. It is the intent of the general assembly
 12 that the industrial incentive program focus on Iowa
 13 industrial sectors and seek contributions and in-kind
 14 donations from businesses, industrial foundations, and
 15 trade associations, and that moneys for the institute
 16 for physical research and technology industrial
 17 incentive program shall be allocated only for projects
 18 which are matched by private sector moneys for directed
- 19 contract research or for nondirected research. The
- 20 match required of small businesses as defined in
- 21 section 15.102, subsection 6 10, for directed contract
- 22 research or for nondirected research shall be \$1 for
- 23 each \$3 of state funds. The match required for other
- 24 businesses for directed contract research or for
- 25 nondirected research shall be \$1 for each \$1 of state
- 26 funds. The match required of industrial foundations
- 27 or trade associations shall be \$1 for each \$1 of state 28 funds.
- 29 Iowa state university of science and technology 30 shall report annually to the joint appropriations
- 31 subcommittee on economic development and the
- 32 legislative services agency the total amount of
- 33 private contributions, the proportion of contributions
- 34 from small businesses and other businesses, and
- 35 the proportion for directed contract research and
- 36 nondirected research of benefit to Iowa businesses and
- 37 industrial sectors.
- 38 5. Notwithstanding section 8.33, moneys 39 appropriated in this section that remain unencumbered 40 or unobligated at the close of the fiscal year shall 41 not revert but shall remain available for expenditure 42 for the purposes designated until the close of the 43 succeeding fiscal year.
- Sec. 13. 2011 Iowa Acts, chapter 130, section 58, 45 is amended to read as follows:
- 46 SEC. 58. UNIVERSITY OF IOWA.
- 47 1. There is appropriated from the general fund 48 of the state to the state university of Iowa for the 49 fiscal year beginning July 1, 2012, and ending June 50 30, 2013, the following amount, or so much thereof $\mathbf{s-5084}$ -8-

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1 as is necessary, to be used for the state university				
2 of Iowa research park and for the advanced drug				
3 development program at the Oakdale research park,				
4 including salaries, support, maintenance, equipment,				
5 miscellaneous purposes, and for not more than the				
6 following full-time equivalent positions:				
7\$ 8	104,640			
o 9 FTEs	209,279 6.00			
10 2. The state university of Iowa shall do all of the	0.00			
11 following:				
12 a. Direct expenditures for research toward projects				
13 that will provide economic stimulus for Iowa.				
14 b. Provide emphasis to providing services to				
15 Iowa-based companies.				
16 3. Notwithstanding section 8.33, moneys				
17 appropriated in this section that remain unencumbered				
18 or unobligated at the close of the fiscal year shall				
19 not revert but shall remain available for expenditure				
20 for the purposes designated until the close of the				
21 succeeding fiscal year.				
22 Sec. 14. 2011 Iowa Acts, chapter 130, section 59,				
23 is amended to read as follows:				
24 SEC. 59. UNIVERSITY OF NORTHERN IOWA.				
25 1. There is appropriated from the general fund of				
26 the state to the university of northern Iowa for the				
27 fiscal year beginning July 1, 2012, and ending June 30,				
28 2013, the following amount, or so much thereof as is				
29 necessary, to be used for the metal casting institute,				
30 the MyEntreNet internet application, and the institute				
31 of decision making, including salaries, support,				
32 maintenance, miscellaneous purposes, and for not more				
33 than the following full-time equivalent positions: 34 \$	287,358			
35	718,716			
36 FTEs	6.75			
37 2. Of the moneys appropriated pursuant to	0.75			
38 subsection 1, the university of northern Iowa shall				
39 allocate at least \$58,820 \$261,639 for purposes of				
40 support of entrepreneurs and small and micro businesses				
41 through the university's regional business center.				
42 3. The university of northern Iowa shall do all of				
43 the following:				
44 a. Direct expenditures for research toward projects				
45 that will provide economic stimulus for Iowa.				
46 b. Provide emphasis to providing services to				
47 Iowa-based companies.				
48 4. Notwithstanding section 8.33, moneys				
49 appropriated in this section that remain unencumbered				
50 or unobligated at the close of the fiscal year shall -9-				
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 1 not revert but shall remain available for expenditure
2 for the purposes designated until the close of the
3 succeeding fiscal year.
               2011 Iowa Acts, chapter 130, is amended by
     Sec. 15.
5 adding the following new section:
     SEC. 60A. REGENTS INNOVATION FUND.
7
        There is appropriated from the general fund
8 of the state to the institutions of higher learning
9 under the control of the state board of regents for the
10 fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amount to be used for the purposes
12 provided in this section:
13 ..... $ 3,800,000
14
     Of the moneys appropriated pursuant to this section,
15 thirty-five percent shall be allocated for Iowa state
16 university, thirty-five percent shall be allocated
17 for university of Iowa, and thirty percent shall be
18 allocated for university of northern Iowa.
19
     2. The institutions shall use moneys appropriated
20 in this section for capacity building infrastructure
21 in areas related to technology commercialization,
22 marketing and business development efforts in
23 areas related to technology commercialization,
24 entrepreneurship, and business growth, and
25 infrastructure projects and programs needed to assist
26 in the implementation of activities under chapter 262B.
27
      3. The institutions shall provide a one-to-one
28 match of additional moneys for the activities funded
29 with moneys appropriated under this section.
30
     4. The state board of regents shall annually
31 prepare a report for submission to the governor, the
32 general assembly, and the legislative services agency
33 regarding the activities, projects, and programs
34 funded with moneys allocated under this section.
35 report shall be provided in an electronic format and
36 shall include a list of metrics and criteria mutually
37 agreed to in advance by the board of regents and
38 the economic development authority. The metrics and
39 criteria shall allow the governor's office and the
40 general assembly to quantify and evaluate the progress
41 of the board of regents institutions with regard to
42 their activities, projects, and programs in the areas
43 of technology commercialization, entrepreneurship,
44 regional development, and market research.
     Sec. 16. 2011 Iowa Acts, chapter 130, section
46 61, subsections 1 through 4, are amended to read as
```

48 1. DIVISION OF LABOR SERVICES

49 a. For the division of labor services, including 50 salaries, support, maintenance, miscellaneous

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47 follows:

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	ge 11				
	purposes, and for not more than the following full-time equivalent positions:				
3 4	\$ 1,747,720 3,548,440				
5 6	65.00				
7	b. From the contractor registration fees, the				
8	division of labor services shall reimburse the				
9	department of inspections and appeals for all costs				
10	associated with hearings under chapter 91C, relating				
11	to contractor registration.				
12	c. Of the moneys appropriated under this				
13	subsection, the department shall allocate \$53,000 for				
14	the purpose of employing an additional investigator to				
15	investigate wage enforcement.				
16	2. DIVISION OF WORKERS' COMPENSATION				
17	a. For the division of workers' compensation,				
18	including salaries, support, maintenance, miscellaneous				
19	purposes, and for not more than the following full-time				
20	equivalent positions:				
21	\$ 1,474,522				
22	3,102,044				
23	FTEs 30.00				
24	<u>31.00</u>				
25	b. The division of workers' compensation shall				
26	charge a \$100 filing fee for workers' compensation				
27	cases. The filing fee shall be paid by the petitioner				
28	of a claim. However, the fee can be taxed as a cost				
	and paid by the losing party, except in cases where				
	it would impose an undue hardship or be unjust under				
	the circumstances. The moneys generated by the filing				
	fee allowed under this subsection are appropriated to				
	the department of workforce development to be used for				
	purposes of administering the division of workers'				
	compensation.				
36	c. Of the moneys appropriated under this				
	subsection, the department shall allocate \$153,000 for				
	the purpose of employing a chief deputy commissioner.				
39	3. WORKFORCE DEVELOPMENT OPERATIONS				
40	a. For the operation of field offices, the				
	workforce development board, and for not more than the				
	following full-time equivalent positions:				
43	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\				
44	8,671,352				
45	FTEs 130.00				
46					
	of this subsection, the department shall allocate				
	\$4,330,240 \$8,510,480 for the operation of field				
	offices and the department shall allocate \$150,000				
	to the state library for the purpose of licensing an				
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1 online resource which prepares persons to succeed in
2 the workplace through programs which improve job skills
3 and vocational test-taking abilities.
     c. The department shall not reduce the number of
5 field offices below the number of field offices being
6 operated as of January 1, 2009.
     4. OFFENDER REENTRY PROGRAM
     a. For the development and administration of an
9 offender reentry program to provide offenders with
10 employment skills, and for not more than the following
11 full-time equivalent positions:
12 ...... $
                                                       142,232
13
                                                        284,464
                                                          3.00
14 ..... FTEs
15
                                                          4.00
16
     b. The department shall partner with the department
17 of corrections to provide staff within the correctional
18 facilities to improve offenders' abilities to find and
19 retain productive employment.
     Sec. 17. 2011 Iowa Acts, chapter 130, section 61,
21 is amended by adding the following new subsection:
22
     NEW SUBSECTION. 5. DEFINITIONS
23
     For purposes of this section:
     a. "Field office" means a satellite office of
24
25 a workforce development center through which the
26 workforce development center maintains a physical
27 presence in a county as described in section 84B.2.
28 For purposes of this paragraph, a workforce development
29 center maintains a physical presence in a county if the
30 center employs a staff person. "Field office" does not
31 include the presence of a workforce development center
32 maintained by electronic means.
         "Workforce development center" means a center
34 at which state and federal employment and training
35 programs are colocated and at which services are
36 provided at a local level as described in section
37 84B.1.
     Sec. 18. 2011 Iowa Acts, chapter 130, section 63,
38
39 is amended to read as follows:
40
     SEC. 63. EMPLOYMENT SECURITY CONTINGENCY FUND.
     1. There is appropriated from the special
41
42 employment security contingency fund to the department
43 of workforce development for the fiscal year beginning
44 July 1, 2012, and ending June 30, 2013, the following
45 amount, or so much thereof as is necessary, to be used
46 for field offices:
47 .....$
                                                       608,542
48
                                                      1,217,084
49
     2. There is appropriated from the special
```

50 employment security contingency fund to the division

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	ge 13				
_	of workers' compensation for the fiscal year beginning				
	July 1, 2012, and ending June 30, 2013, the following				
	amount or so much thereof as is necessary, to be used				
	for hiring and compensating a deputy commissioner of				
	workers' compensation:				
		160,000			
7	2. 3. Any remaining additional penalty and				
	interest revenue collected by the department of				
	workforce development is appropriated to the department				
	for the fiscal year beginning July 1, 2012, and				
	ending June 30, 2013, to accomplish the mission of the				
	department.				
13	Sec. 19. 2011 Iowa Acts, chapter 130, section 64,				
	is amended to read as follows:				
15	SEC. 64. UNEMPLOYMENT COMPENSATION RESERVE FUND				
	- FIELD OFFICES. Notwithstanding section 96.9,				
	subsection 8, paragraph "e", there is appropriated				
	from interest earned on the unemployment compensation				
	reserve fund to the department of workforce development				
	for the fiscal year beginning July 1, 2012, and ending				
	June 30, 2013, the following amount or so much thereof				
	as is necessary, for the purposes designated:				
	For the operation of field offices:				
	-	,200,000			
25	······································	633,000			
26	Sec. 20. 2011 Iowa Acts, chapter 130, section 65,	033,000			
	is amended to read as follows:				
28	SEC. 65. GENERAL FUND — EMPLOYEE MISCLASSIFICATION				
	PROGRAM. There is appropriated from the general fund				
	of the state to the department of workforce development				
	for the fiscal year beginning July 1, 2012, and				
	ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes				
	<u>-</u>				
	designated:				
35	For enhancing efforts to investigate employers that				
	misclassify workers and for not more than the following				
37	full-time equivalent positions:	005 700			
38	\$	225,729			
39		451,458			
40	FTES	8.10			
41	Sec. 21. 2011 Iowa Acts, chapter 130, section 67,				
	subsection 1, is amended to read as follows:				
43	1. There is appropriated from the general fund				
	of the state to the Iowa finance authority for the				
	fiscal year beginning July 1, 2012, and ending June 30,				
	2013, the following amount, or so much thereof as is				
47	necessary, to be used to provide reimbursement for rent				

50 \$ **s-5084** -13-

49 program:

48 expenses to eligible persons under the rent subsidy

329,000

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                                                         658,000
1
     Sec. 22. 2011 Iowa Acts, chapter 130, section 69,
 3 is amended to read as follows:
     SEC. 69. PUBLIC EMPLOYMENT RELATIONS BOARD.
         There is appropriated from the general fund of
6 the state to the public employment relations board for
7 the fiscal year beginning July 1, 2012, and ending June
8 30, 2013, the following amount, or so much thereof as
9 is necessary, for the purposes designated:
     For salaries, support, maintenance, miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:
13 ...... $
                                                        <del>528,936</del>
14
                                                        1,148,426
15 ..... FTEs
                                                           10.00
     2. Of the moneys appropriated in this section,
17 the board shall allocate $15,000 for maintaining a
18 website that allows searchable access to a database of
19 collective bargaining information.
     Sec. 23. Section 123.143, subsection 3, Code
21 Supplement 2011, is amended to read as follows:
22
     3. Barrel tax revenues collected on beer
23 manufactured in this state from a class "A" permittee
24 which owns and operates a brewery located in Iowa shall
25 be credited to the barrel tax fund hereby created in
26 the office of the treasurer of state. Moneys deposited
27 in the barrel tax fund shall not revert to the general
28 fund of the state without a specific appropriation by
29 the general assembly. Moneys in the barrel tax fund
30 are appropriated to the economic development authority
31 for purposes of section 15E.117 Iowa state university
32 of science and technology and for purposes of the
33 midwest grape and wine industry institute.
34
     Notwithstanding section 8.33, moneys appropriated in
35 this subsection that remain unencumbered or unobligated
36 at the close of a fiscal year shall not revert but
37 shall remain available for expenditure for the purposes
38 designated until the close of the succeeding fiscal
39 year.
40
     Sec. 24. Section 123.183, Code Supplement 2011, is
41 amended by striking the subsection and inserting in
42 lieu thereof the following:
43
      2. a. Revenue collected from the wine gallonage
44 tax on wine manufactured for sale and sold in this
45 state, and on wine subject to direct shipment as
46 provided in section 123.187 by a wine manufacturer
47 licensed or permitted pursuant to laws regulating
48 alcohol beverages in this state, shall be deposited in
49 the wine gallonage tax fund as created in this section.
     b. (1) A wine gallonage tax fund is created in the
50
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- 1 office of the treasurer of the state.
- 2 (2) All moneys deposited in the fund are 3 appropriated to Iowa state university of science and 4 technology for purposes of the midwest grape and wine 5 industry institute.
- 6 (3) Notwithstanding section 8.33, moneys
 7 appropriated in this section that remain unencumbered
 8 or unobligated at the close of a fiscal year shall
 9 not revert but shall remain available for expenditure
 10 for the purposes designated until the close of the
 11 succeeding fiscal year.
- 12 Sec. 25. <u>NEW SECTION</u>. 266.21 Iowa wine and beer 13 promotion board.
- 14 1. The advisory board of the midwest grape and 15 wine industry institute at Iowa state university of 16 science and technology shall establish a wine and beer 17 promotion board.
- 2. The wine and beer promotion board shall consist of three members appointed by the advisory board. Each member shall serve a term of three years on the board. One member shall represent Iowa wine makers and one member shall represent Iowa beer makers. The third member shall have expertise in marketing and shall be mutually agreed upon by the other two wine and beer promotion board members. The member representing Iowa beer makers shall control the moneys in the midwest grape and wine industry institute that are derived from the tax on wholesale sales of native beer and shall use those moneys to promote native beer made in Iowa.
- 30 The member representing Iowa wine makers shall control
- 31 the moneys in the midwest grape and wine industry
- 32 institute that are derived from the tax on native wine 33 manufactured for sale and sold in the state and shall
- 34 use those moneys to promote wine made in Iowa.
- 35 3. The wine and beer promotion board shall advise 36 the advisory board of the midwest grape and wine 37 industry institute at Iowa state university of science 38 and technology on the best means to promote wine and 39 beer made in Iowa.
- Sec. 26. Section 303.1, subsection 4, Code 2011, is 41 amended by adding the following new paragraph:
- 42 NEW PARAGRAPH. e. Film office.
- 43 Sec. 27. NEW SECTION. 303.95 Film office.
- The department shall establish and administer a film 45 office. The purpose of the film office is to assist 46 legitimate film, television, and video producers in the 47 production of film, television, and video projects in 48 the state and to create a positive fiscal impact on the 49 state's economy through such projects.
- 50 Sec. 28. REPEAL. Sections 15E.116 and 15E.117,

S-5084 Page 16 1 Code and Code Supplement 2011, are repealed. Sec. 29. TRANSITIONAL PROVISIONS - TRANSFER OF 3 FUNDS. Any moneys remaining in any account or fund 4 under the control of the economic development authority 5 on the effective date of this Act relative to the Iowa 6 wine and beer promotion board shall be transferred 7 to Iowa state university of science and technology 8 for the midwest grape and wine industry institute. 9 Notwithstanding section 8.33, moneys transferred in 10 accordance with this section shall not revert to the 11 account or fund from which it was appropriated or 12 transferred. Sec. 30. TRANSITIONAL PROVISIONS - EMERGENCY 13 14 ADMINISTRATIVE RULEMAKING. The department of cultural 15 affairs may adopt emergency rules under section 16 17A.4, subsection 3, and section 17A.5, subsection 2, 17 paragraph "b", to implement the provisions of this Act 18 relating to a film office in the department of cultural 19 affairs, and the rules shall be effective January 1, 20 2013, unless a later date is specified in the rules. 21 Any rules adopted in accordance with this section shall 22 also be published as a notice of intended action as 23 provided in section 17A.4. Sec. 31. EFFECTIVE UPON ENACTMENT. The section 24 25 of this division of this Act providing for emergency 26 rulemaking, being deemed of immediate importance, takes 27 effect upon enactment.> 2. Title page, line 6, by striking <and 28 29 retroactive> COMMITTEE ON APPROPRIATIONS ROBERT E. DVORSKY, CHAIRPERSON

S-5084 FILED MARCH 13, 2012



Fiscal Note



Fiscal Services Division

SF 2128 – Autism Health Insurance Coverage (LSB 5713XS)

Analyst: Dwayne Ferguson (Phone: 515-281-6561) (dwayne.ferguson@legis.state.ia.us)

Fiscal Note Version - New

Description

<u>Senate File 2128</u> requires certain group health insurance policies, contracts, or plans for public employees to provide coverage for screening, diagnosis, and treatment of autism spectrum disorders for individuals less than 26 years old. The maximum annual benefit is \$36,000 per year with adjustments for inflation beginning in FY 2014. The Commissioner of Insurance is to adopt administrative rules for this coverage.

Assumptions

- The requirement for group health insurance coverage related to autism applies to State employees, school district employees, and employees of institutions supported by public funds.
- A "member" covered by a health care plan refers to the employee, a spouse, a child, or other dependent receiving coverage by the health care plan.
- The State of Iowa employee group for insurance coverage means Executive Branch, Judicial Branch, and Legislative Branch employees. The only Regents employees that are included are those eligible for union membership.
- Health insurance costs are paid from all funding sources and include the State General Fund, other funds, and federal funds. There is insufficient information to distribute costs by funding source.
- Member costs calculated by Wellmark Blue Cross and Blue Shield of Iowa for the State of Iowa
 employee group are similar to the costs that would occur under other plans.

Fiscal Impact

The per member cost for insurance coverage of autism spectrum disorders required by SF 2128 is estimated to be \$0.35 to \$0.49 per month or \$4.20 to \$5.88 per year.

The current coverage of autism spectrum disorders for the State of Iowa employee group costs approximately \$280,000 per year. The coverage expansion in SF 2128 will increase costs for the group by \$70,000 to \$210,000 per year bringing the total annual cost to State agencies to \$350,000 to \$490,000. It is not possible to estimate the fiscal impact by funding source, so the cost increase will be paid by all funding sources for State agency operations. Likewise, this cost range does not include school districts or other public employees not in the State of Iowa employee insurance group.

This Bill will increase school districts insurance costs, but that cost cannot be determined.

Sources

Insurance Division, Department of Commerce Department of Administrative Services Wellmark Blue Cross and Blue Shield of Iowa

 /s/ Holly M. Lyons	
 March 13, 2012	

The fiscal note for this bill was prepared pursuant to <u>Joint Rule 17</u> and the correctional and minority impact statements were prepared pursuant to Iowa Code <u>section 2.56</u>. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.